

REMARKS

Applicant appreciates the Examiner's Response pointing out that arm (80) and leg portion (82) have not been required to be attached in previously submitted claims. As may be seen in Figs. 6A, 7 and 7A, arm (80) and leg portion (82) are different but integral portions of a single element. Claim 1 is amended to make this limitation clear. In addition, claim 1 has been amended to more definitively limit the arm to being slideable within the latching porthole. Support for this amendment may be found in paragraph [0031], line 12 where the sprocket arm (8) slides "away from" the base (84) (by means of its leg portion being "unlocked" by latch 86) but is prevented from moving in the opposite direction (by means of a latching interference between the porthole and the leg portion). This also makes it clear that the arm (80) and leg portion (82) are a single element because Fig. 8 clearly shows that leg portion (82) is inserted through the porthole (88).

Finally, as to the meaning of "latching" in describing this feature of the porthole, paragraph [0031], also makes clear that as the particular claim term "latching" is employed, its usage in context in the specification make it clear that a "latching interference" "unlocks" or releases to allow movement in one direction (of the sprocket arm away from the base) but prevents the sprocket arm from moving in the opposite direction "toward" the base. As such, "latching" is employed herein to convey "locking".

Claim Rejections –35 USC §102

Claims 1-4 are rejected under 35 USC 102(b) as being anticipated by Rointru (US 6,159,120). As previously pointed out, Rointru's element (17) does not have a leg portion (33). Element (17) is an arm or fork that opens outwardly from an end of the tensioner to hold a pulley (19). Element (33) is a piston (33) disposed freely in a cylinder (31) having first and second chambers (35 and 37) with fluid flowing therebetween so as to provide damping action. In other words, elements (17) and (33) are not connected together.

In addition, as described previously, Rointru's element (17) is constrained at a fixed distance from base endpiece (5) and is therefore not slideable. Applicant's automated tensioner (66), as now claimed, comprises an arm (80) and integral leg portion (82), the leg portion (82) being slideably within a closed end bore formed in a latching base; thus both the arm (80) and integral leg portion (82) are slideable relative to base (84)

Since Rointru does not disclose an arm having an integral leg portion slideable away from the base and prevented from moving towards the base as now claimed, Rointru cannot anticipate the claimed invention because Rointru does not disclosed each and every claim limitation as set forth in claim 1, either expressly or inherently. It is thus believed that the rejection is overcome and withdrawal of the rejection is respectfully requested.

Conclusion

Applicants believe that this application contains patentable subject matter and that the foregoing amendments provide a basis for favorable consideration and allowance of all claims; such allowance is respectfully requested. If any matter needs to be resolved before allowance, the Examiner is encouraged to call Applicant's representative at the number provided below.

Respectfully submitted,



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